



October 17, 2022

Comment letter submitted via electronic commenting system

Mr. Tony Brasil  
 Mobile Source Control  
 Division  
 California Air Resources  
 Board  
 1001 I Street  
 Sacramento, CA 95814

Mr. Craig Duehring  
 Mobile Source Control  
 Division  
 California Air Resources  
 Board  
 1001 I Street  
 Sacramento, CA 95814

Mr. Paul Arneja  
 Mobile Source Control  
 Division  
 California Air Resources  
 Board  
 1001 I Street  
 Sacramento, CA 95814

**Re: Proposed Advanced Clean Fleets Regulation Public Fleet Requirements regarding  
 “Commercially Available”**

The signatories to this letter appreciate the opportunity to provide public comments regarding the fundamental concept of ‘commercially available’ for medium and heavy-duty vehicles necessary to fulfill our fleets’ water, wastewater, and electric utility responsibilities in the California Air Resources Board’s (CARB) proposed Advanced Clean Fleets Regulation (Draft ACF) documents released on August 30, 2022. Our fleets provide essential public services that millions of Californians rely upon daily.

The undersigned Coalition requests that CARB formally define “Commercially Available” in the Draft ACF prior to requiring fleets to make future purchases of new medium- and heavy-duty vehicles starting as early as 2024. Without stakeholder and CARB agreement on what is commercially available, we have great concern that CARB will enforce new purchase requirements when in practice vehicles do not exist to perform our essential public service fleet operations. Progress and innovation are advancing in medium-and-heavy duty vehicle technologies, but infrastructure for and application of many vehicle configurations are still several years away from being commercially available.

As written, there is a disconnect between CARB staff's treatment of what is commercially available and what is needed to procure new vehicles that meet our fleets' needs. The Draft ACF suggests "commercially available" (Independent Statement of Reasons (ISOR) page 9, 70) equates to taking orders for vehicle models with at least one model delivered to a customer; and "that would meet most fleet needs" (ISOR page H-1-40 of Appendix H-1). We recommend that "commercially available" for a Zero Emission Vehicle (or Near Zero Emission Vehicle through 2035), as it pertains to the Draft ACF purchase requirements, include the following considerations:

- Available in sufficient supply to be purchased and received in acceptable time-frame comparable to available internal combustion emission vehicle (ICEV).
- Available in sufficient quantities to provide for a competitive bidding environment and avoid price manipulation by vehicle manufacturers and dealers.
- Available from multiple reputable vehicle manufacturers as a certified zero-emission powertrain.
- Meets required specifications (e.g. duty cycle duration, elevation, climate, emergency response conditions, off-road capabilities) and exists in practice.
- Sold for no more than 33% over retail price for ICEVs of the same vehicle configuration.

We appreciate the opportunity to comment on this very important rulemaking to provide input for our essential fleet operations. We look forward to earnest conversations with CARB staff as the Advanced Clean Fleets Regulation is finalized.

Respectfully submitted,

- Association of California Water Agencies
- California Municipal Utilities Association
- California Special District Association
- California State Association of Counties
- California Association of Sanitation Agencies
- League of California Cities
- Southern California Public Power Authority
- Northern California Power Agency
- Imperial Irrigation District
- Valley Center Municipal Water District
- San Juan Water District
- Truckee Donner Public Utilities District
- Tahoe City Public Utility District
- Rancho Water
- Otay Water District
- Helix Water District
- Sierra Lakes County Water District
- Placer County Water Agency
- San Luis & Delta-Mendota Water Authority

cc: The Honorable Liane Randolph, Chair, California Air Resources Board  
The Honorable Sandra Berg, Vice Chair, California Air Resources Board  
The Honorable E. Joaquin Esquivel, Chair, California State Water Resources Control Board  
Dr. Steven Cliff, Executive Officer, California Air Resources Board  
Mr. Craig Segall, Deputy Executive Office, California Air Resources Board  
Dr. Sydney Vergis, Division Chief, Mobile Sources Division, California Air Resources Board